

CITY OF BURTON
LEGISLATIVE SUB-COMMITTEE MEETING MINUTES
SEPTEMBER 30, 1997 10:00 A.M. COUNCIL CHAMBERS

This Legislative Meeting is called to order by Chairman Martinbianco
at 10:05 A.M.

Members Present T. Martinbianco, C. Cross, B. Centilli.

Others Present D. Lowthian, Assessor; J. Brown, Clerk's Office.

PURPOSE OF THE MEETING: Discussion and Possible Recommendation
Concerning

1. PILOT ORDINANCE

PRESENTATION:

D. Lowthian reviewed the first draft of the proposed city ordinance to provide for a service charge in lieu of taxes for a multi-family dwelling, with some changes as discussed by this committee and recommendations from the city attorney. In section 1 he added a parcel number. On page 2 under "definitions" Item C was added. On page 3, Section 4, the first sentence was written to specify a time frame of when the property taxes would commence. "The annual service charge shall be equal to 5% of the Net Shelter Rents for a ten year period." was added because the committee wanted this specified also. Section 5, they added some language specifically identifying that the restricted income apartments would represent 40% of the total development. Section 6 was added as it was determined to be necessary. They did delete one section of the proposed ordinance from First Centrum; Section 6, based on the advice of our city attorney. A major addition was made on page 4, Section 8, a provision for the housing development to be responsible for Police and Fire calls, (public safety calls), based on the city attorney's recommendation. It was determined they should be responsible for 40% of this expense as the other 60% of the units will be paying a service charge equal to property taxes. The city controller had some concerns over how these charges would be handled and the language in section 8 reading "the Housing Development shall be responsible to reimburse the City at a rate established by resolution of the City Council".

AUDIENCE PARTICIPATION:

Bob Solomon represented First Centrum. He said Mr. Lowthian did a good job of explaining the changes. He felt all were acceptable except for any concerns MSHDA might have with the ordinance. He felt that deleting Section 6 might be a problem since it will affect MSHDA. Another concern

he would like to see addressed is a "Notice provision" inserted so that the

LEGISLATIVE SUB-COMMITTEE MEETING MINUTES

SEPTEMBER 30, 1997 10:00 A.M.

PAGE 2

developer has an opportunity to "cure" any violations. In Section 5 when it refers to "40% of the number of units designated as low income" he'd like to see "no more than 47" inserted. Also about Section 6, he would like

to talk to MSHDA about that and will hold off comment until such time. He also spoke on the many ordinances governing other developments they have

and none have an additional service charge, he would suggest and recommend

that there be a flat 4 or 5% charge. Increase this charge and eliminate Section 8. He said the ordinance is a "good job" and is fair, there are no surprises, but Section 6 and Section 8 may be a concern to MSHDA.

COMMITTEE DISCUSSION:

C. Cross thanked D. Lowthian for the great job he does for Council, he said it doesn't go unnoticed. He discussed Section 6, he doesn't feel the city would be unreasonable with it. He asked for D. Lowthian's input on Section 8 to make it acceptable. T. Martinbianco suggested increasing the fee to 5%, discussion followed. He said it was his recommendation to change the annual service charge to 5% of the net shelter rents for a ten year period. Effective for the 11th year the City Council shall review the annual service charge and at it's discretion may increase at a rate of not more than 2 to 7% total. Thereafter City Council may review at ten year intervals and make increases not to exceed 2% for a maximum of 11%. Discussion on Section 5 followed. The committee felt it was possible for the development to expand.

COMMITTEE RECOMENDATIONS:

Chairman Martianbianco reviewed the proposed ordinance, No. 1, the Preamble,

has the parcel number added; Sections 2 & 3 were approved as written, Section 4 was to have the annual service charge changed from 4% to 5%, and effective for the eleventh year it may be raised from 2% to not more than 11% in total. Section 5, shall read "the total number of apartments that will house elderly persons of low income shall not exceed 40%.

Section

6 to be revised as discussed, Section 7 is approved as written, Section 8 is deleted, Section 9 and 10 is approved as written.

Chairman Martinbianco asked D. Lowthian if he had any comments.

D. Lowthian said he would make the recommended changes and get copies to Council and Mr. Solomon who could then take to MSHDA for their approval or

recommendations. Chairman Martinbianco said they were trying to expedite things to get the ordinance in place as soon as possible.

Chairman Martinbianco spoke on a grafitti ordinance, he would like to schedule another Legislative meeting soon to discuss the many items that need to be addressed. C. Cross said he would like to look at "zero tolerance" he has brought copies from the county, which he has shared with Council. Chairman Martinbianco said they would add that to the agenda.

Meeting adjourned 11:00 A.M.
Jeanette Brown, Clerk's Office

COMMITTEE RECOMMENDATIONS:

MEETING ADJOURNED AT _____A.M.